
Public Notice

Applicant:
City of Garfield Heights

Date:
Published: May 9, 2003
Expires: June 7, 2003

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-TD-R RE: 2003-00366(0) Section: OH 404

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

The Honorable Thomas J. Longo, on behalf of the City of Garfield Heights, 5407 Turney Road, Garfield Heights, Ohio 44125, has applied for a Department of the Army permit to construct Wargo Park in federal wetlands and unnamed tributaries of the Cuyahoga River. The project is located on Hathaway Road, in the City of Garfield Heights, Cuyahoga County, Ohio.

Department of the Army authorization is sought for the proposed work which consists of the following:

- a. The grading and filling of 0.23 acres of forested and scrub/shrub wetlands, and
- b. The grading and filling of 2613 linear feet of intermittent tributaries and 39 linear feet of an ephemeral tributary to the Cuyahoga River for the construction of ball fields, pavilion and picnic areas, a skate park, walking paths, and parking facilities.

As mitigation for these impacts to federal waters the City of Garfield Heights has proposed to:

Wetland:

- a. Expand and enhance the remaining on-site 0.23 acre wetland by adding an additional 0.35 acres of a scrub/shrub and wet meadow wetland, resulting in a 0.58 acre wetland with a constructed overlook and interpretive trail.

Stream:

- b. Relocate and reconstruct approximately 478 linear feet of stream to a more easterly location on site.
- c. Preserve a total of 644 linear feet (portions thereof) of the remaining streams 1 and 5 and their riparian buffers by establishing a conservation easement having a minimum width of 50 feet.
- d. Repair eroded stream banks and restore stream sections that have been modified by straightening totalling 1,694 linear feet of

stream improvements.

The City's stated project purpose is to provide additional recreation opportunities for the City of Garfield Heights.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Theresa B. Hudson, who can be contacted by calling (440) 437-5847, or by e-mail at: theresa.b.hudson@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, Orwell Field Office, 33 Grand Valley Avenue, Orwell, Ohio 44076-9566, and should be marked to the attention of Theresa B. Hudson, or by e-mail at: theresa.b.hudson@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

GARFIELD HEIGHTS, CITY OF
D/A Processing No. 2003-00366(0)
Cuyahoga County, Ohio Quad: SHAKER
HEIGHTS
Sheet 1 of 3

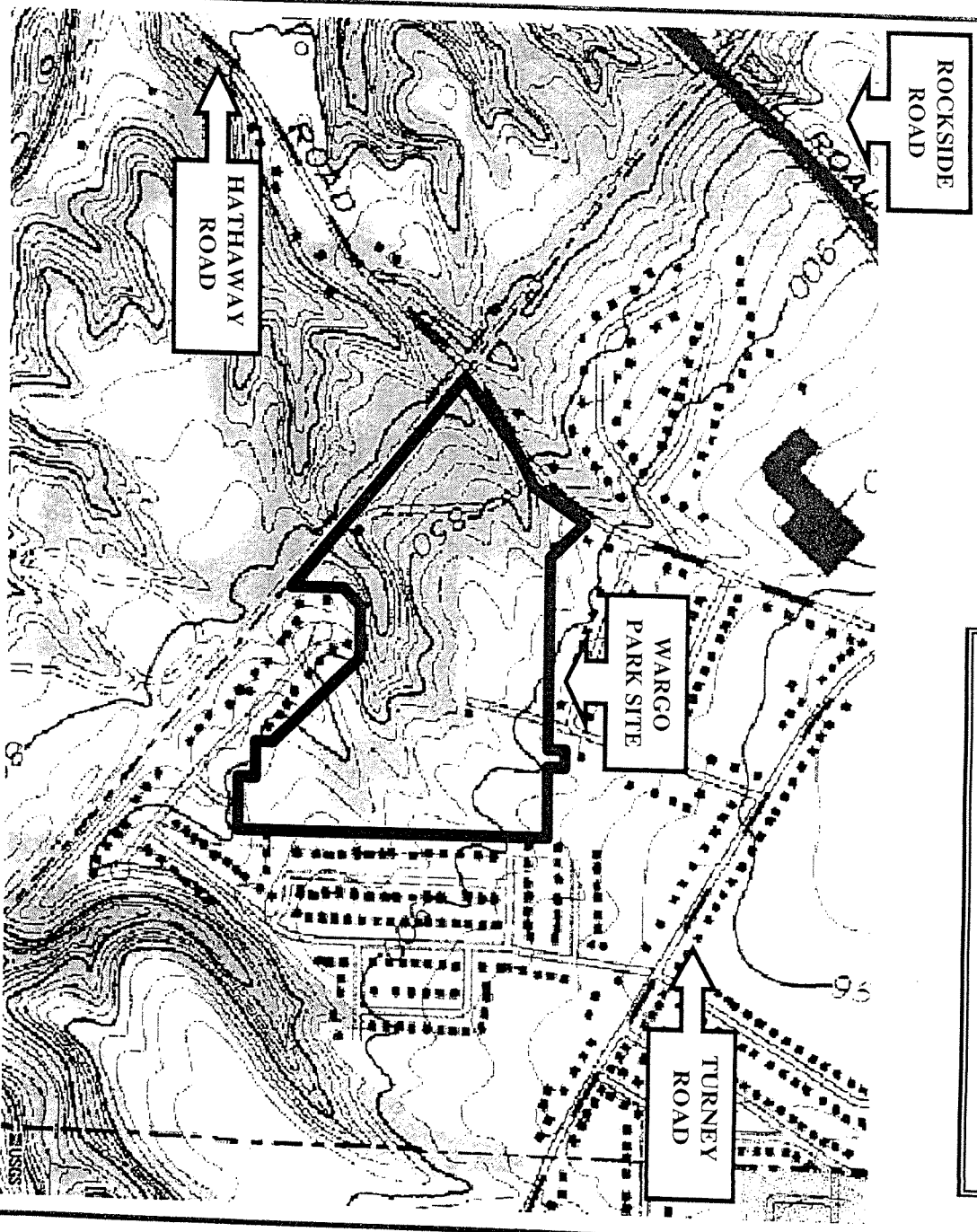


FIGURE 1
PROJECT LOCATION

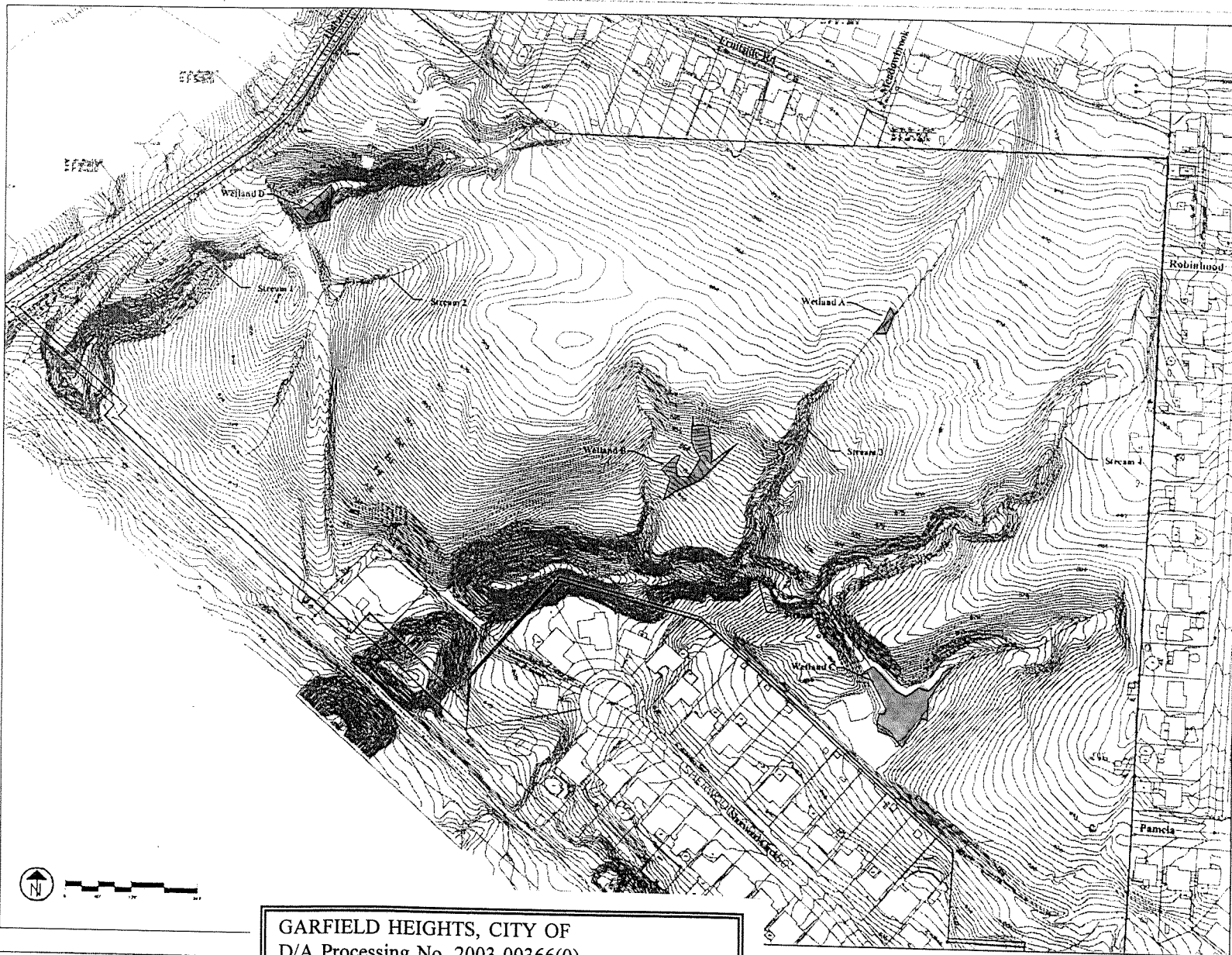
SHAKER HEIGHTS USGS
7.5 MINUTE QUADRANGLE

URS





URS



GARFIELD HEIGHTS, CITY OF
D/A Processing No. 2003-00366(0)
Cuyahoga County, Ohio Quad: SHAKER
HEIGHTS
Sheet 2 of 3

